

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

Escape X IP LLC

Plaintiff,

v.

Block Inc.

Defendant.

Civil Action No. 1:22-cv-03575-JMF

**DECLARATION OF DANIEL S. BLOCK IN SUPPORT OF
DEFENDANT BLOCK, INC.'S MOTION TO DISMISS FOR
FAILURE TO CLAIM PATENTABLE SUBJECT MATTER UNDER 35 U.S.C. § 101**

I, Daniel S. Block, declare and state as follows:

1. I am a Director at the law firm Sterne, Kessler, Goldstein & Fox P.L.L.C. and counsel for Defendant Block, Inc. in the above-captioned case. I submit this declaration in support of Block's Motion to Dismiss for Failure to Claim Patentable Subject Matter Under 35 U.S.C. § 101. I have personal knowledge of the facts herein.

2. Attached hereto as Exhibit A is a true and correct copy of U.S. Patent No. 9,009,113, entitled "System and Method for Generating Artist-Specified Dynamic Albums."

3. Attached hereto as Exhibit B is a true and correct copy of a Non-Final Rejection issued by the U.S. Patent & Trademark Office ("PTO") in Application No. 14/519,168 on January 2, 2015.

4. Attached hereto as Exhibit C is a true and correct copy of a Notice of Allowance issued by the PTO in Application No. 14/519,168 on February 25, 2015.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: August 5, 2022
Washington, DC

/s/ Daniel S. Block
Daniel S. Block

CERTIFICATE OF SERVICE

The undersigned certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system on August 5, 2022.

/s/ Daniel S. Block
Daniel S. Block